

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

IN RE:	{	CHAPTER 13
	{	
Sonja Maria Simpkins,	{	CASE NO. 14-40604-MGD
	{	
DEBTOR.	{	

NOTICE OF HEARING

PLEASE TAKE NOTICE that Debtor has filed a “Motion to Extend the Automatic Stay,” and related papers with the Court seeking an order continuing the Automatic Stay of 11 U.S.C. Section 362(a) beyond the thirty day limit set forth in 11 U.S.C. Section 362(c)(3)(A) as to all applicable entities until such time as the Court grants relief from the stay for cause, or the stay is terminated pursuant to 11 U.S.C. Section 362(c)(1) or (2).

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion to Extend Automatic Stay in Courtroom **342**, United States Courthouse 600 East First St. Rome, GA at **10:30 AM** on **April 2, 2014**.

Your rights may be affected by the court’s ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is: Clerk, U. S. Bankruptcy Court, Room 339 Rome, GA 30161. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: March 21, 2014

_____/s/
Amit Patel
GA Bar No. 697014
Robert J. Semrad & Associates
Suite 3600
101 Marietta St.
Atlanta, GA 30303

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MOTION TO EXTEND AUTOMATIC STAY

COMES NOW Debtor, Sonja Maria Simpkins, and asks this Court to extend the automatic stay of 11 U.S.C. Section 362(a) in this Chapter 13 Bankruptcy Case beyond the period of thirty (30) days against all Creditors and shows the Court the following:

1.

On March 17, 2014, Debtor filed a Voluntary Petition for Bankruptcy relief under Title 11, Chapter 13 of the United States Code.

2.

Debtor has filed one previous Chapter 13 bankruptcy case, bringing it within 11 U.S.C. Section 362(c)(3). Debtor's previous case, Case No. 11-40907, was filed on March 22, 2011. In the previous case, Debtor's case was dismissed for failure to make plan payments.

3.

Debtor filed the instant case in good faith in an effort to save his house and vehicle from foreclosure and repossession. The house is necessary to provide the debtor with adequate shelter. The vehicle is necessary to provide Debtor with transportation. Extension of the automatic stay will prevent Debtor from losing her house and vehicle.

4.

There has been a change in circumstances since the previous case was dismissed. The Debtor has decided to change her attorney. Debtor believes hiring a new attorney will allow her to be successful in this case. Debtor's schedules reflect the ability to support the Chapter 13 payments.

5.

Extension of the automatic stay will not harm the creditors. In the instant case, Debtor has proposed to pay \$515.00 per month through the Chapter 13 Plan, and pay a pro rata share of \$13,171.00 or 100 % to unsecured creditors.

6.

Debtor has filed the instant case in good faith. Debtor asks the Court to find that the presumption that the instant case was not filed in good faith has been rebutted by clear and convincing evidence, as outlined above, and extend the automatic stay. Debtor asks the Court to allow her the opportunity to be successful in her current Chapter 13 case in order to retain her house and vehicle.

WHEREFORE, Debtor prays that this motion be Granted and that the automatic stay of 11 U.S.C. Section 362(a) be extended beyond thirty (30) days against all creditors.

Dated: March 21, 2014

_____/s/
Amit Patel
GA Bar No. 697014
Robert J. Semrad & Associates
Suite 3600
101 Marietta St.
Atlanta, GA 30303

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CERTIFICATE OF SERVICE

I, Amit Patel, attorney for Debtor, certify that the below listed parties and the attached service list have been served with a true and correct copy of the attached pleadings by placing a copy of same in a properly addressed envelope with adequate postage thereon and deposited in the United States Mail.

Mary Ida Townson

Chapter 13 Trustee
191 Peachtree Street NE Suite 2200
Atlanta, Ga 30303

Sonja Maria Simpkins

226 Comet Court
Dallas, GA 30157

Bank Of America

4161 Piedmont Pkwy
Greensboro NC 27410

Bank Of America

c/o Rubin Lublin Suarez Serrano
3740 Davinci Court
Suite 400
Norcross, GA 30092

Nissan Motor Acceptance Corp

c/o Aimee Cobb
PO Box 660366
Dallas TX 75266

(See attached for additional mailing list)

Dated: March 21, 2014

_____/s/
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Capital One Bank
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